

Council Policy No.:	CP2018-009
Council Policy Name:	Pre-Servicing of Subdivision Lands
Date Approved by Council:	May 27, 2003
Date revision approved by Council:	July 17, 2018
Related SOP, Management Directive, Council Policy, Forms	

Policy Statement and Rationale:

It is the purpose of this policy to establish the requirements for pre-servicing of vacant lands prior to the execution of a subdivision agreement throughout the City of Kawartha Lakes. This policy is providing a financial incentive [for development](#) by permitting pre-servicing prior to the finalizing of the required details in the Subdivision Agreement (i.e. the landscape plan, composite utility plan, full securities, etc.).

Scope:

This policy shall apply to all requests for pre-servicing of vacant lands which have been granted draft plan approval.

Definitions:

In reading and interpreting the Pre-Servicing of Subdivision Lands policy, the following definitions apply:

- a) "City" means The Corporation of the City of Kawartha Lakes.
- b) "Owner" means the party who wishes to install services as a requirement of draft plan approval.
- c) ["Engineer" means an individual who is a professional engineer or P.Eng. and must be licensed by Professional Engineers Ontario \(PEO\).](#)

Policy:

1.0 Request for Pre-Servicing Agreement

1.01 Staff of the Engineering and Corporate Assets Department shall [review](#) ~~review in consultation with the Public Works Department~~ the requests for pre-servicing submitted by Owners.

1.02 The Owner shall acknowledge in writing ~~in~~ the request for pre-servicing [and](#) that he or she understands that the pre-servicing work will be completed solely at his

or her peril, and the City will assume no responsibility for any work that has commenced ~~or proceeded~~.

~~1.02~~—~~1.03~~ The Owner shall acknowledge in writing ~~in with t~~the request for pre-servicing that he or she understands that the pre-servicing agreement will not permit any connections to any existing sewers or water services. In addition, the Owner shall acknowledge that there will be no installations of any services within the City's ~~road~~ right-of-ways ~~or municipal property~~.

~~1.03~~—

~~1.04~~ The only exception to this acknowledgement is where the Owner and the City confirm that the municipal property is within the Draft Plan of Subdivision approval and/or where the proposed Draft Plan of Subdivision approval is predicated on servicing works on external municipal property.

~~1.05~~ The Owner shall acknowledge in writing to provide a minimum of 100% security for the Works proposed on ~~any~~ municipal property (vacant, unassumed, improved, or assumed) ~~that the City and Owner confirm meets condition 1.04..-~~

~~1.04~~—~~1.06~~ The Owner shall covenant and agree to retain a competent engineer experienced in the municipal engineering field. All of the future Public Services shall be installed under the supervision and inspection of the engineering firm, and the Owner shall not retain the services of another engineering firm or change firms without the prior written consent of the Director.

2.0 Requirements

2.01 The following items must be submitted with the formal pre-servicing request:

- A draft copy of the pre-servicing agreement prepared by the Owner and Engineer;
- A copy of the Conservation Authority written confirmation of clearance and/or any required permits;
- A written acknowledgment ~~in the form of a Letter of Undertaking~~ from the ~~Qualified~~ Engineer addressed to the City stating that the Engineer understands the obligations to the City of the pre-servicing agreement;
- A letter of indemnity ~~and undertaking~~ ~~ification~~ to the City identifying that the Composite Utility Plan and Landscaping Plans are still outstanding from the engineering submission and that the Owner is proceeding at ~~the Owner's~~ ~~his or her~~ sole risk on that basis;
- A certificate of public liability insurance is required in the amount not less than the following. Refer to the pre-servicing Agreement for further insurance requirements:

- \$10,000,000.00 - Commercial General Liability Insurance
 - \$5,000,000.00 - Standard Form Automobile Liability Insurance
 - \$2,000,000.00 - Professional Liability Insurance (for each professional retained)
 - \$5,000,000.00 - Environmental Impairment Liability Insurance
- A Construction Management Plan addressing the erosion and sediment controls, the construction traffic routing plan, and the detailed construction schedule, including the coordination of the preconstruction meeting with the City staff, [Consulting Engineer](#), and the Contractor;
 - A Construction Cost Estimate, Schedule “D”, all construction related cost, as per the City of Kawartha Lakes template;
 - Confirmation of City endorsement of all required Ministry of the Environment, Conservation and Parks (MECP) approval for municipal services (water, sanitary, storm and stormwater management facilities);
 - [Confirmation of City approval of the Form 1 required by the City and MECP for expansion of municipal water services;](#)
 - One hard copy and one electronic copy of the complete “issued for pre-servicing” sets of engineering [design drawings](#); ~~and~~
 - Written acknowledgement from the ~~City~~ Planning Division for intent to pre-service and confirmation that the following have been submitted and are to the satisfaction of the [City’s](#) Planning Division:
 - Record of Site Condition
 - Draft M-Plan
 - Archeological Study
 - Zoning [supports is in place for any](#) Model Homes or ~~Early Construction Homes~~ (if applicable)
- 2.02 The Engineering and Corporate Assets Department must approve the servicing proposal prior to the execution of the pre-servicing agreement.
- 2.03 The Owner will submit security in the amount of 50 percent of the total estimated cost of engineering design along with an executed Pre-Servicing Agreement. The security will be used to secure the site with any required fencing, vegetative cover, or grading, if the Owner does not enter into a subsequent subdivision or development agreement. The security is to be increased to a minimum of 100% [for any approved works](#) on any municipal owned property within the limits of the [Draft Plan of Subdivision and/or for any approved works on any municipal owned property required in support of the Draft Plan of Subdivision.](#)

2.04 A letter of credit or certified cheque for the securities (details noted in 2.03 below);

~~2.04~~2.05 No reductions in security will be granted throughout the term of the pre-servicing agreement.

~~2.05~~2.06 Model Homes or Early Construction Homes will only be permitted within the pre-servicing agreement, if the appropriate zoning is in place, and will need to be confirmed with the [City's Planning Division](#) department.

3.0 Procedures

- 3.01 If an Owner wishes to pre-service a property, he or she will make a written request to the Director of Engineering and Corporate Assets or designate.
- 3.02 A template of the pre-servicing agreement is available on the City's website.
- 3.03 The Owner shall submit the draft pre-servicing agreement along with the required items listed in Section 2.0 to the Director of Engineering and Corporate Services or designate for review -by the City.

4.0 Delegated Authority

- 4.01 For the purpose of permitting pre-servicing, the authority to execute a pre-servicing agreement is hereby delegated to the Director of Engineering and Corporate Assets.

Revision History:

Proposed Date of Review:

Revision	Date	Description of changes	Requested By
0.0	May 27, 2003	Initial Release as 071 EPW 004	Wayne Hancock
0.1	March 27, 2012	Delegation Authority	Juan Rojas
1.0	June 28, 2016	Updated and renumbered to Ensure Current Requirements and Reporting Structure	Juan Rojas
2.0	June April 2022	Updated and renumbered to Ensure Current Requirements and Reporting Structure	Christina Sisson
